

2. The issuance of this Order does not authorize any injury to persons or property or invasion of other private rights, or any infringement of state or local law or regulations [section 122.5(c)].

F. Inspection and Entry

The Discharger shall allow the Regional Water Board, State Water Board, United States Environmental Protection Agency (USEPA), and/or their authorized representatives (including an authorized contractor acting as their representative), upon the presentation of credentials and other documents, as may be required by law, to [section 122.41(i)] [Water Code section 13383]:

1. Enter upon the Discharger's premises where a regulated facility or activity is located or conducted, or where records are kept under the conditions of this Order [section 122.41(i)(1)];
2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Order [section 122.41(i)(2)];
3. Inspect and photograph, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order [section 122.41(i)(3)]; and
4. Sample or monitor, at reasonable times, for the purposes of assuring Order compliance or as otherwise authorized by the CWA or the Water Code, any substances or parameters at any location [section 122.41(i)(4)].

G. Bypass

1. Definitions

- i. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility [section 122.41(m)(1)(i)].
 - ii. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities, which causes them to become inoperable, or substantial and permanent loss of natural resources that can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production [section 122.41(m)(1)(ii)].
2. Bypass not exceeding limitations. The Discharger may allow any bypass to occur which does not cause exceedances of effluent limitations, but only if it is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions listed in Standard Provisions – Permit Compliance I.G.3, I.G.4, and I.G.5 below [section 122.41(m)(2)].

3. Prohibition of bypass. Bypass is prohibited, and the Regional Water Board may take enforcement action against a Discharger for bypass, unless [section 122.41(m)(4)(i)]:
 - a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage [section 122.41(m)(4)(i)(A)];
 - b. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass that occurred during normal periods of equipment downtime or preventive maintenance [section 122.41(m)(4)(i)(B)]; and
 - c. The Discharger submitted notice to the Regional Water Board as required under Standard Provisions – Permit Compliance I.G.5 below [section 122.41(m)(4)(i)(C)].
4. The Regional Water Board may approve an anticipated bypass, after considering its adverse effects, if the Regional Water Board determines that it will meet the three conditions listed in Standard Provisions – Permit Compliance I.G.3 above [section 122.41(m)(4)(ii)].
5. Notice
 - a. Anticipated bypass. If the Discharger knows in advance of the need for a bypass, it shall submit a notice, if possible at least 10 days before the date of the bypass [section 122.41(m)(3)(i)].
 - b. Unanticipated bypass. The Discharger shall submit notice of an unanticipated bypass as required in Standard Provisions - Reporting V.E below (24-hour notice) [section 122.41(m)(3)(ii)].

H. Upset

Upset means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the Discharger. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation [section 122.41(n)(1)].

1. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of Standard Provisions – Permit Compliance I.H.2 below are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review [section 122.41(n)(2)].

2. Conditions necessary for a demonstration of upset. A Discharger who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence that [section 122.41(n)(3)]:
 - a. An upset occurred and that the Discharger can identify the cause(s) of the upset [section 122.41(n)(3)(i)];
 - b. The permitted facility was, at the time, being properly operated [section 122.41(n)(3)(ii)];
 - c. The Discharger submitted notice of the upset as required in Standard Provisions – Reporting V.E.2.b below (24-hour notice) [section 122.41(n)(3)(iii)]; and
 - d. The Discharger complied with any remedial measures required under Standard Provisions – Permit Compliance I.C above [section 122.41(n)(3)(iv)].
3. Burden of proof. In any enforcement proceeding, the Discharger seeking to establish the occurrence of an upset has the burden of proof [section 122.41(n)(4)].

II. STANDARD PROVISIONS – PERMIT ACTION

A. General

This Order may be modified, revoked and reissued, or terminated for cause. The filing of a request by the Discharger for modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any Order condition [section 122.41(f)].

B. Duty to Reapply

If the Discharger wishes to continue an activity regulated by this Order after the expiration date of this Order, the Discharger must apply for and obtain a new permit [section 122.41(b)].

C. Transfers

This Order is not transferable to any person except after notice to the Regional Water Board. The Regional Water Board may require modification or revocation and reissuance of the Order to change the name of the Discharger and incorporate such other requirements as may be necessary under the CWA and the Water Code [section 122.41(l)(3) and section 122.61].

III. STANDARD PROVISIONS – MONITORING

- A. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity [section 122.41(j)(1)].
- B. Monitoring results must be conducted according to test procedures under Part 136 or, in the case of sludge use or disposal, approved under Part 136 unless otherwise specified

in Part 503 unless other test procedures have been specified in this Order [section 122.41(j)(4) and section 122.44(i)(1)(iv)].

IV. STANDARD PROVISIONS – RECORDS

- A. Except for records of monitoring information required by this Order related to the Discharger's sewage sludge use and disposal activities, which shall be retained for a period of at least five years (or longer as required by Part 503), the Discharger shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Order, and records of all data used to complete the application for this Order, for a period of at least three (3) years from the date of the sample, measurement, report or application. This period may be extended by request of the Regional Water Board Executive Officer at any time [section 122.41(j)(2)].
- B. Records of monitoring information shall include:
1. The date, exact place, and time of sampling or measurements [section 122.41(j)(3)(i)];
 2. The individual(s) who performed the sampling or measurements [section 122.41(j)(3)(ii)];
 3. The date(s) analyses were performed [section 122.41(j)(3)(iii)];
 4. The individual(s) who performed the analyses [section 122.41(j)(3)(iv)];
 5. The analytical techniques or methods used [section 122.41(j)(3)(v)]; and
 6. The results of such analyses [section 122.41(j)(3)(vi)].
- C. Claims of confidentiality for the following information will be denied [section 122.7(b)]:
1. The name and address of any permit applicant or Discharger [section 122.7(b)(1)]; and
 2. Permit applications and attachments, permits and effluent data [section 122.7(b)(2)].

V. STANDARD PROVISIONS – REPORTING

A. Duty to Provide Information

The Discharger shall furnish to the Regional Water Board, State Water Board, or USEPA within a reasonable time, any information which the Regional Water Board, State Water Board, or USEPA may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Order or to determine compliance with this Order. Upon request, the Discharger shall also furnish to the Regional Water Board, State Water Board, or USEPA copies of records required to be kept by this Order [section 122.41(h)] [Water Code section 13267].

B. Signatory and Certification Requirements

1. All applications, reports, or information submitted to the Regional Water Board, State Water Board, and/or USEPA shall be signed and certified in accordance with Standard Provisions – Reporting V.B.2, V.B.3, V.B.4, and V.B.5 below [section 122.41(k)].
2. All permit applications shall be signed by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (i) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures. [section 122.22(a)(1)].
3. All reports required by this Order and other information requested by the Regional Water Board, State Water Board, or USEPA shall be signed by a person described in Standard Provisions – Reporting V.B.2 above, or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - a. The authorization is made in writing by a person described in Standard Provisions – Reporting V.B.2 above [section 122.22(b)(1)];
 - b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.) [section 122.22(b)(2)]; and
 - c. The written authorization is submitted to the Regional Water Board and State Water Board [section 122.22(b)(3)].
4. If an authorization under Standard Provisions – Reporting V.B.3 above is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Standard Provisions – Reporting V.B.3 above must be submitted to the Regional Water Board and State Water Board prior to or together with any reports, information, or applications, to be signed by an authorized representative [section 122.22(c)].

5. Any person signing a document under Standard Provisions – Reporting V.B.2 or V.B.3 above shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations." [section 122.22(d)].

C. Monitoring Reports

1. Monitoring results shall be reported at the intervals specified in the Monitoring and Reporting Program (Attachment E) in this Order [section 122.22(l)(4)].
2. Monitoring results must be reported on a Discharge Monitoring Report (DMR) form or forms provided or specified by the Regional Water Board or State Water Board for reporting results of monitoring of sludge use or disposal practices [section 122.41(l)(4)(i)].
3. If the Discharger monitors any pollutant more frequently than required by this Order using test procedures approved under Part 136 or, in the case of sludge use or disposal, approved under Part 136 unless otherwise specified in Part 503, or as specified in this Order, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or sludge reporting form specified by the Regional Water Board [section 122.41(l)(4)(ii)].
4. Calculations for all limitations, which require averaging of measurements, shall utilize an arithmetic mean unless otherwise specified in this Order [section 122.41(l)(4)(iii)].

D. Compliance Schedules

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this Order, shall be submitted no later than 14 days following each schedule date [section 122.41(l)(5)].

E. Twenty-Four Hour Reporting

1. The Discharger shall report any noncompliance that may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the Discharger becomes aware of the circumstances. A written submission shall also be provided within five (5) days of the time the Discharger becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it

is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance [section 122.41(I)(6)(i)].

2. The following shall be included as information that must be reported within 24 hours under this paragraph [section 122.41(I)(6)(ii)]:
 - a. Any unanticipated bypass that exceeds any effluent limitation in this Order [section 122.41(I)(6)(ii)(A)].
 - b. Any upset that exceeds any effluent limitation in this Order [section 122.41(I)(6)(ii)(B)].
3. The Regional Water Board may waive the above-required written report under this provision on a case-by-case basis if an oral report has been received within 24 hours [section 122.41(I)(6)(iii)].

F. Planned Changes

The Discharger shall give notice to the Regional Water Board as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required under this provision only when [section 122.41(I)(1)]:

1. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in section 122.29(b) [section 122.41(I)(1)(i)]; or
2. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants that are subject neither to effluent limitations in this Order nor to notification requirements under section 122.42(a)(1) (see Additional Provisions—Notification Levels VII.A.1) [section 122.41(I)(1)(ii)].
3. The alteration or addition results in a significant change in the Discharger's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan [section 122.41(I)(1)(iii)].

G. Anticipated Noncompliance

The Discharger shall give advance notice to the Regional Water Board or State Water Board of any planned changes in the permitted facility or activity that may result in noncompliance with General Order requirements [section 122.41(I)(2)].

H. Other Noncompliance

The Discharger shall report all instances of noncompliance not reported under Standard Provisions – Reporting V.C, V.D, and V.E above at the time monitoring reports are

submitted. The reports shall contain the information listed in Standard Provision – Reporting V.E above [section 122.41(l)(7)].

I. Other Information

When the Discharger becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Regional Water Board, State Water Board, or USEPA, the Discharger shall promptly submit such facts or information [section 122.41(l)(8)].

VI. STANDARD PROVISIONS – ENFORCEMENT

- A. The Regional Water Board is authorized to enforce the terms of this permit under several provisions of the Water Code, including, but not limited to, sections 13385, 13386, and 13387.
- B. The CWA provides that any person who violates section 301, 302, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any such sections in a permit issued under section 402, or any requirement imposed in a pretreatment program approved under sections 402(a)(3) or 402(b)(8) of the Act, is subject to a civil penalty not to exceed \$25,000 per day for each violation. The CWA provides that any person who negligently violates sections 301, 302, 306, 307, 308, 318, or 405 of the Act, or any condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, or any requirement imposed in a pretreatment program approved under section 402(a)(3) or 402(b)(8) of the Act, is subject to criminal penalties of \$2,500 to \$25,000 per day of violation, or imprisonment of not more than one (1) year, or both. In the case of a second or subsequent conviction for a negligent violation, a person shall be subject to criminal penalties of not more than \$50,000 per day of violation, or by imprisonment of not more than two (2) years, or both. Any person who knowingly violates such sections, or such conditions or limitations is subject to criminal penalties of \$5,000 to \$50,000 per day of violation, or imprisonment for not more than three (3) years, or both. In the case of a second or subsequent conviction for a knowing violation, a person shall be subject to criminal penalties of not more than \$100,000 per day of violation, or imprisonment of not more than six (6) years, or both. Any person who knowingly violates section 301, 302, 303, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, and who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury, shall, upon conviction, be subject to a fine of not more than \$250,000 or imprisonment of not more than 15 years, or both. In the case of a second or subsequent conviction for a knowing endangerment violation, a person shall be subject to a fine of not more than \$500,000 or by imprisonment of not more than 30 years, or both. An organization, as defined in section 309(c)(3)(B)(iii) of the CWA, shall, upon conviction of violating the imminent danger provision, be subject to a fine of not more than \$1,000,000 and can be fined up to \$2,000,000 for second or subsequent convictions [*section 122.41(a)(2)*] [*Water Code sections 13385 and 13387*].
- C. Any person may be assessed an administrative penalty by the Regional Water Board for violating section 301, 302, 306, 307, 308, 318 or 405 of this Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of this Act. Administrative penalties for Class I violations are not to exceed \$10,000 per violation, with the maximum amount of any Class I penalty assessed not to exceed \$25,000. Penalties for Class II violations are not to exceed \$10,000 per day for each day during which the violation continues, with the maximum amount of any Class II penalty not to exceed \$125,000 [*section 122.41(a)(3)*].
- D. The CWA provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit

shall, upon conviction, be punished by a fine of not more than \$10,000, or by imprisonment for not more than 2 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment is a fine of not more than \$20,000 per day of violation, or by imprisonment of not more than 4 years, or both [section 122.41(j)(5)].

- E. The CWA provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this Order, including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than six months per violation, or by both [section 122.41(k)(2)].

VII. ADDITIONAL PROVISIONS – NOTIFICATION LEVELS

A. Non-Municipal Facilities

Existing manufacturing, commercial, mining, and silvicultural Dischargers shall notify the Regional Water Board as soon as they know or have reason to believe [section 122.42(a)]:

1. That any activity has occurred or will occur that would result in the discharge, on a routine or frequent basis, of any toxic pollutant that is not limited in this Order, if that discharge will exceed the highest of the following "notification levels" [section 122.42(a)(1)]:
 - a. 100 micrograms per liter ($\mu\text{g/L}$) [section 122.42(a)(1)(i)];
 - b. 200 $\mu\text{g/L}$ for acrolein and acrylonitrile; 500 $\mu\text{g/L}$ for 2,4-dinitrophenol and 2-methyl-4,6-dinitrophenol; and 1 milligram per liter (mg/L) for antimony [section 122.42(a)(1)(ii)];
 - c. Five (5) times the maximum concentration value reported for that pollutant in the Report of Waste Discharge [section 122.42(a)(1)(iii)]; or
 - d. The level established by the Regional Water Board in accordance with section 122.44(f) [section 122.42(a)(1)(iv)].
2. That any activity has occurred or will occur that would result in the discharge, on a non-routine or infrequent basis, of any toxic pollutant that is not limited in this Order, if that discharge will exceed the highest of the following "notification levels" [section 122.42(a)(2)]:
 - a. 500 micrograms per liter ($\mu\text{g/L}$) [section 122.42(a)(2)(i)];
 - b. 1 milligram per liter (mg/L) for antimony [section 122.42(a)(2)(ii)];
 - c. Ten (10) times the maximum concentration value reported for that pollutant in the Report of Waste Discharge [section 122.42(a)(2)(iii)]; or

- d. The level established by the Regional Water Board in accordance with section 122.44(f) [section 122.42(a)(2)(iv)].

ATTACHMENT E – MONITORING AND REPORTING PROGRAM (MRP) NO. 6211

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ATTACHMENT E – MONITORING AND REPORTING PROGRAM (MRP) NO. 6211

The Code of Federal Regulations section 122.48 requires that all NPDES permits specify monitoring and reporting requirements. Water Code Sections 13267 and 13383 also authorize the Regional Water Quality Control Board (Regional Water Board) to require technical and monitoring reports. This MRP establishes monitoring and reporting requirements, which implement the federal and California regulations.

I. GENERAL MONITORING PROVISIONS

- A. An effluent sampling station shall be established for the point of discharge (Discharge Point 001 [Latitude 33°47'12", Longitude 118°14'16"]) and shall be located where representative samples of that effluent can be obtained.
- B. Effluent samples shall be taken downstream of any addition to skim pond and prior to mixing with the receiving waters.
- C. The Regional Water Board shall be notified in writing of any change in the sampling stations once established or in the methods for determining the quantities of pollutants in the individual waste streams.
- D. Pollutants shall be analyzed using the analytical methods described in 40 CFR sections 136.3, 136.4, and 136.5 (revised March 12, 2007); or, the methods specified in 40 CFR Part 136. Where no methods are specified for a given pollutant, the methods approved by this Regional Water Board or the State Water Board, will be used. Laboratories analyzing effluent samples and receiving water samples shall be certified by the California Department of Public Health Environmental Laboratory Accreditation Program (ELAP) or approved by the Executive Officer and must include quality assurance/quality control (QA/QC) data in their reports. A copy of the laboratory certification shall be provided each time a new certification and/or renewal of the certification is obtained from ELAP.
- E. For any analyses performed for which no procedure is specified in the USEPA guidelines or in the MRP, the constituent or parameter analyzed and the method or procedure used must be specified in the monitoring report.
- F. Each monitoring report must affirm in writing that "all analyses were conducted at a laboratory certified for such analyses by the Department of Health Services or approved by the Executive Officer and in accordance with current USEPA guideline procedures or as specified in this MRP".
- G. The monitoring reports shall specify the analytical method used, the Method Detection Limit (MDL), and the Minimum Level (ML) for each pollutant. For the purpose of reporting compliance with numerical limitations, performance goals, and receiving water limitations, analytical data shall be reported by one of the following methods, as appropriate:
 - 1. An actual numerical value for sample results greater than or equal to the ML; or

2. "Detected, but Not Quantified (DNQ)" if results are greater than or equal to the laboratory's MDL but less than the ML; or,
3. "Not-Detected (ND)" for sample results less than the laboratory's MDL with the MDL indicated for the analytical method used.

Analytical data reported as "less than" for the purpose of reporting compliance with permit limitations shall be the same or lower than the permit limit(s) established for the given parameter.

Current MLs (Attachment H) are those published by the State Water Board in the Policy for the Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California, February 24, 2005.

- H. Where possible, the MLs employed for effluent analyses shall be lower than the permit limitations established for a given parameter. If the ML value is not below the effluent limitation, then the lowest ML value and its associated analytical method shall be selected for compliance purposes. At least once a year, the Discharger shall submit a list of the analytical methods employed for each test and associated laboratory QA/QC procedures.

The Regional Water Board, in consultation with the State Water Board Quality Assurance Program, shall establish a ML that is not contained in Attachment H to be included in the Discharger's permit in any of the following situations:

1. When the pollutant under consideration is not included in Attachment H;
 2. When the Discharger and Regional Water Board agree to include in the permit a test method that is more sensitive than that specified in 40 CFR Part 136 (revised March 12, 2007);
 3. When the Discharger agrees to use an ML that is lower than that listed in Attachment H;
 4. When the Discharger demonstrates that the calibration standard matrix is sufficiently different from that used to establish the ML in Attachment H, and proposes an appropriate ML for their matrix; or,
 5. When the Discharger uses a method whose quantification practices are not consistent with the definition of an ML. Examples of such methods are the USEPA-approved method 1613 for dioxins and furans, method 1624 for volatile organic substances, and method 1625 for semi-volatile organic substances. In such cases, the Discharger, the Regional Water Board, and the State Water Board shall agree on a lowest quantifiable limit and that limit will substitute for the ML for reporting and compliance determination purposes.
- I. Water/wastewater samples must be analyzed within allowable holding time limits as specified in section 136.3. All QA/QC items must be run on the same dates the samples were actually analyzed, and the results shall be reported in the Regional Water Board

format, when it becomes available, and submitted with the laboratory reports. Proper chain of custody procedures must be followed, and a copy of the chain of custody shall be submitted with the report.

- J. All analyses shall be accompanied by the chain of custody, including but not limited to data and time of sampling, sample identification, and name of person who performed sampling, date of analysis, name of person who performed analysis, QA/QC data, method detection limits, analytical methods, copy of laboratory certification, and a perjury statement executed by the person responsible for the laboratory.
- K. The Discharger shall calibrate and perform maintenance procedures on all monitoring instruments and to insure accuracy of measurements, or shall insure that both equipment activities will be conducted.
- L. The Discharger shall have, and implement, an acceptable written quality assurance (QA) plan for laboratory analyses. The annual monitoring report required in Section X.D shall also summarize the QA activities for the previous year. Duplicate chemical analyses must be conducted on a minimum of ten percent (10%) of the samples, or at least one sample per sampling period, whichever is greater. A similar frequency shall be maintained for analyzing spiked samples.
- M. When requested by the Regional Water Board or USEPA, the Discharger will participate in the NPDES discharge monitoring report QA performance study. The Discharger must have a success rate equal to or greater than 80%.
- N. For parameters that both average monthly and daily maximum limits are specified and the monitoring frequency is less than four times a month, the following shall apply. If an analytical result is greater than the average monthly limit, the Discharger shall collect four additional samples at approximately equal intervals during the month, until compliance with the average monthly limit has been demonstrated. All five analytical results shall be reported in the monitoring report for that month, or 45 days after results for the additional samples were received, whichever is later. In the event of noncompliance with an average monthly effluent limitation, the sampling frequency for that constituent shall be increased to weekly and shall continue at this level until compliance with the average monthly effluent limitation has been demonstrated. The Discharger shall provide for the approval of the Executive Officer a program to ensure future compliance with the average monthly limit.
- O. In the event wastes are transported to a different disposal site during the report period, the following shall be reported in the monitoring report:
 - 1. Types of wastes and quantity of each type;
 - 2. Name and address for each hauler of wastes (or method of transport if other than by hauling); and
 - 3. Location of the final point(s) of disposal for each type of waste.

If no wastes are transported off-site during the reporting period, a statement to that effect shall be submitted.

P. Each monitoring report shall state whether or not there was any change in the discharge as described in the Order during the reporting period.

Q. Laboratories analyzing monitoring samples shall be certified by the Department of Health Services, in accordance with the provision of Water Code section 13176, and must include quality assurance/quality control data with their reports.

II. MONITORING LOCATIONS

The Discharger shall establish the following monitoring locations to demonstrate compliance with the effluent limitations, discharge specifications, and other requirements in this Order:

Table E-1. Monitoring Station Locations

Discharge Point Name	Monitoring Location Name	Monitoring Location Description
001	EFF-001	A sampling station shall be established for Outfall 001 at Latitude 33°, 47', 16" N, Longitude 118°, 14', 16" W, and shall be located where representative samples of that effluent can be obtained.
--	RSW-001	A sampling station shall be established 50 feet upstream from the discharge point of the storm drain to the receiving water, the Dominguez Channel estuary.
--	RSW-002	A sampling station shall be established in the vicinity of the discharge point of the storm drain to the receiving water, the Dominguez Channel estuary.

III. INFLUENT MONITORING REQUIREMENTS

Not applicable.

IV. EFFLUENT MONITORING REQUIREMENTS

A. Monitoring Location EFF 001

1. The Discharger shall monitor fire protection system test water runoff or stormwater runoff at EFF 001 as follows. If more than one analytical test method is listed for a given parameter, the Discharger must select from the listed methods and corresponding Minimum Level:

Table E-2. Effluent Monitoring

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method
Total Discharge Flow	MGD	Estimated	1/Day ¹	2
Temperature	°F	Grab	1/Discharge Event ³	2
Turbidity	NTU	Grab	1/Discharge Event ³	2
Settleable solids	ml/L	Grab	1/Discharge Event ³	2
Sulfides	mg/L	Grab	1/Discharge Event ³	2
Phenols	mg/L	Grab	1/Discharge Event ³	2
Biochemical Oxygen Demand (BOD) @ 20°C	mg/L	Grab	1/Discharge Event ³	2
Oil and Grease	mg/L	Grab	1/Discharge Event ³	2
pH	s.u.	Grab	1/Discharge Event ³	2
Total Suspended Solids (TSS)	mg/L	Grab	1/Discharge Event ³	2
Arsenic, Total Recoverable	µg/L	Grab	1/Discharge Event ³	2
Copper, Total Recoverable	µg/L	Grab	1/Discharge Event ³	2
Lead, Total Recoverable	µg/L	Grab	1/Discharge Event ³	2
Mercury, Total Recoverable	µg/L	Grab	1/Discharge Event ³	2
Nickel, Total Recoverable	µg/L	Grab	1/Discharge Event ³	2
Selenium, Total Recoverable	µg/L	Grab	1/Discharge Event ³	2
Zinc, Total Recoverable	µg/L	Grab	1/Discharge Event ³	2
Ammonia, Total (as N)	mg/L	Grab	1/Discharge Event ³	2
Conductivity	µmho/cm	Grab	1/Discharge Event ³	2
Detergents (MBAS)	mg/L	Grab	1/Discharge Event ³	2
Dissolved Oxygen	mg/L	Grab	1/Discharge Event ³	2
Methyl tertiary butyl ether (MTBE)	µg/L	Grab	1/Discharge Event ³	2
Tertiary butyl alcohol (TBA)	µg/L	Grab	1/Discharge Event ³	2
Total Organic Carbon	mg/L	Grab	1/Discharge Event ³	2
Total Petroleum Hydrocarbons (both gasoline and diesel fractions)	µg/L	Grab	1/Discharge Event ³	2, 4
Xylene	µg/L	Grab	1/Discharge Event ³	2
Cresol	µg/L	Grab	1/Discharge Event ³	2
Methyl mercaptan	µg/L	Grab	1/Discharge Event ³	2
Napthenic acid	µg/L	Grab	1/Discharge Event ³	2
Cyclohexane	µg/L	Grab	1/Discharge Event ³	2
Total coliform	MPN/100 ml	Grab	1/semiannual ⁷	2
Fecal coliform	MPN/100 ml	Grab	1/semiannual ⁷	2
Enterococcus	MPN/100 ml	Grab	1/semiannual ⁷	2
Priority Pollutants ⁵	µg/L	Grab	1/Year	2
Acute Toxicity ⁶	% survival	Grab	1/Year	2

¹ Flow shall be recorded daily during each period of discharge. Periods of no flow shall also be reported.

- ² Pollutants shall be analyzed using the analytical methods described in 40 CFR Part 136; for priority pollutants the methods must meet the lowest minimum levels (MLs) specified in Appendix 4 of the SIP, and provided as Attachment H, where no methods are specified for a given pollutant, by methods approved by this Regional Water Board or the State Water Board.
- ³ During periods of extended rainfall, no more than one sample per week needs to be taken. Sampling shall be during the first hour of discharge. If, for safety reasons, a sample cannot be obtained during the first hour of discharge, a sample shall be obtained at the first safe opportunity, and the reason for the delay shall be included in the report.
- ⁴ Analysis using USEPA 8015 (Modified).
- ⁵ Priority Pollutants as defined by the CTR defined in Finding II.I of the Limitations and Discharge Requirements of this Order, and included as Attachment I. Annual samples shall be collected during the first hour of discharge from the first storm event of the wet season (October 1 – May 30).
- ⁶ Refer to Section V, MRP.
- ⁷ Samples shall be collected during dry weather (April 1 to October 31) and wet weather (November 1 to March 31), only if there is a discharge to Dominguez Channel Estuary.

V. WHOLE EFFLUENT TOXICITY TESTING REQUIREMENTS

A. Definition of Toxicity

1. Acute Toxicity

Acute toxicity is a measure of primarily lethal effects that occur over a 96-hour period. Acute toxicity shall be measured in percent survival measured in undiluted (100%) effluent.

- (a) The average survival in the undiluted effluent for any three (3) consecutive 96-hour static or continuous flow bioassay tests shall be at least 90%, and
- (b) No single test shall produce less than 70% survival.

2. Accelerated Monitoring

If either of the above requirements is not met, the Discharger shall conduct six additional tests over a six-week period, if possible. The discharger shall ensure that they receive results of a failing toxicity test within 24 hours of the close of the test and the additional tests shall begin within 3 business days of the receipt of the result. If the additional tests indicate compliance with the toxicity limitation, the discharger may resume regular testing. However, if the results of any two of the six accelerated tests are less than the stipulated requirements, then the Discharger shall begin a Toxicity Identification Evaluation (TIE). The TIE shall include all reasonable steps to identify the sources of toxicity. Once the sources are identified, the Discharger shall take all reasonable steps to reduce toxicity to meet objective.

If the initial test and any of the additional six acute toxicity bioassay test result in less than 70% survival, including the initial test, the Discharger shall immediately begin a TIE.

B. Acute Toxicity Effluent Monitoring Program

1. The Discharger shall conduct acute toxicity tests on effluent grab samples by methods specified in Part 136 which cites USEPA's *Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine*

Organisms, Fifth Edition, October 2002, USEPA, Office of Water, Washington D.C. (EPA/821-R-02-012) or a more recent edition to ensure compliance in 100 % effluent.

2. The fathead minnow, *Pimephales promelas*, shall be used as the test species for fresh water discharges and the topsmelt, *Atherinops affinis*, shall be used as the test species for brackish effluent. The method for topsmelt is found in USEPA's *Short-term Method for Estimating the Chronic Toxicity of Effluents and Receiving Waters to West Coast Marine and Estuarine Organisms*, Third Edition, October 2002 (EPA/821-R-02-014), or a more recent edition.
3. In lieu of conducting the standard acute toxicity testing with the fathead minnow, the Discharger may elect to report the results or endpoint from the first 48 hours of the chronic toxicity test as the results of the acute toxicity test.
4. Effluent samples shall be collected before discharge to the receiving water.

C. Quality Assurance

1. Concurrent testing with a reference toxicant shall be conducted. Reference toxicant tests shall be conducted using the same test conditions as the effluent toxicity tests (e.g., same test duration, etc).
2. If either the reference toxicant test or effluent test does not meet all test acceptability criteria (TAC) as specified in the test methods manuals (EPA/600/4-91/002 and EPA/821-02-014), then the Discharger must re-sample and re-test at the earliest time possible.
3. Control and dilution water should be receiving water or laboratory water, as appropriate, as described in the manual. If the dilution water used is different from the culture water, a second control using culture water shall be used.

D. Accelerated Monitoring and Initial Investigation TRE Trigger

1. If toxicity exceeds the limitations (as defined in Section V.A.1, above), then the Discharger shall immediately implement accelerated testing, as specified at Section V.A.2 above. The discharger shall ensure that they receive results of a failing toxicity test within 24 hours of the completion of the test and the additional tests shall begin within 3 business days of receipt of the results or at the first opportunity of discharge. If the accelerated testing shows consistent toxicity, the discharger shall immediately implement the Initial Investigation of the TRE Workplan.
2. If implementation of the initial investigation TRE workplan indicates the source of toxicity (e.g., a temporary plant upset, etc.), then the Discharger may discontinue the TIE.
3. The first step in the initial Investigation TRE Workplan for downstream receiving water toxicity can be a toxicity test protocol designed to determine if the effluent causes or contributes to the measured downstream chronic toxicity. If this first step

TRE testing shows that the outfall effluent does not cause or contribute to downstream chronic toxicity, using EPA's Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Marine and Estuarine Organisms, Fourth Edition, October 2002 (EPA/821-R-02-014). Then a report on this testing shall be submitted to the Board and the TRE will be considered to be completed. Routine testing in accordance with the MRP shall be continued thereafter.

E. Toxicity Reduction Evaluation (TRE)/ Toxicity Identification Evaluation (TIE) Trigger

1. If the accelerated testing shows consistent toxicity as defined below:

- a. If the results of any two of the six accelerated tests are less than 90% survival, or
- b. If the initial test and any of the additional six acute toxicity bioassay tests result in less than 70% survival.

then, the Discharger shall immediately implement the TRE as described below.

F. Steps in TRE and TIE Procedures

1. Following a TRE trigger, the Discharger shall initiate a TRE in accordance with the facility's Initial Investigation TRE workplan. At a minimum, the Discharger shall use USEPA manuals EPA/600/2-88/070 (industrial) or EPA/833B-99/002 (municipal) as guidance. The Discharger shall expeditiously develop a more detailed TRE workplan for submittal to the Executive Officer within 30 days of the trigger, which will include, but not be limited to:
 - a. Further actions to investigate and identify the cause of toxicity;
 - b. Actions the Discharger will take to mitigate the impact of the discharge and prevent the recurrence of toxicity;
 - c. Standards the Discharger will apply to consider the TRE complete and to return to normal sampling frequency; and,
 - d. A schedule for these actions.
2. The following is a stepwise approach in conducting the TRE and TIE:
 - a. Step 1 - Basic data collection. Data collected for the accelerated monitoring requirements may be used to conduct the TRE;
 - b. Step 2 - Evaluates optimization of the treatment system operation, facility housekeeping, and the selection and use of in-plant process chemicals;
 - c. Step 3 - If Steps 1 and 2 are unsuccessful, Step 3 implements a TIE by employing all reasonable efforts and using currently available TIE methodologies. The Discharger shall use the USEPA acute and chronic manuals,

EPA/600/6-91/005F (Phase I), EPA/600/R-96-054 (for marine), EPA/600/R-92/080 (Phase II), and EPA-600/R-92/081 (Phase III) as guidance. The objective of the TIE is to identify the substance or combination of substances causing the observed toxicity;

- d. Step 4 – Assuming successful identification or characterization of the toxicant(s), Step 4 evaluates final effluent treatment options;
- e. Step 5 – Evaluates in-plant treatment options; and,
- f. Step 6 – Consists of confirmation once a toxicity control method has been implemented.

Many recommended TRE elements parallel source control, pollution prevention, and storm water control program best management practices. To prevent duplication of efforts, evidence of implementation of these control measures may be sufficient to comply with TRE requirements. By requiring the first steps of a TRE to be accelerated testing and review of the facility's TRE workplan, a TRE may be ended in its early stages. All reasonable steps shall be taken to reduce toxicity to the required level. The TRE may be ended at any stage if monitoring indicates there is no longer toxicity (or six consecutive acute toxicity test results are greater than 90% survival and/or six consecutive chronic toxicity results are less than or equal to the 1.0 TUC).

- 3. The Discharger may initiate a TIE as part of the TRE process to identify the cause(s) of toxicity. The Discharger shall use the EPA acute and chronic manuals, EPA/600/6-91/005F (Phase I)/EPA/600/R-96-054 (for marine), EPA/600/R-92/080 (Phase II), and EPA-600/R-92/081 (Phase III) as guidance.
- 4. If a TRE/TIE is initiated prior to completion of the accelerated testing required in this permit, then the accelerated testing schedule may be terminated, or used as necessary in performing the TRE/TIE, as determined by the Executive Officer.
- 5. Toxicity tests conducted as part of a TRE/TIE may also be used for compliance, if appropriate.
- 6. The Board recognizes that toxicity may be episodic and identification of causes of and reduction of sources of toxicity may not be successful in all cases. Consideration of enforcement action by the Board will be based in part on the Discharger's actions and efforts to identify and control or reduce sources of consistent toxicity.

G. Reporting

- 1. The Discharger shall submit a full report of the toxicity test results, including any accelerated testing conducted during the month as required by this permit. Test results shall be reported as % survival for acute toxicity test results and as TU_c for chronic toxicity test results with the self monitoring reports (SMR) for the month in which the test is conducted.

2. If an initial investigation indicates the source of toxicity and accelerated testing is unnecessary, then those results also shall be submitted with the SMR for the period in which the investigation occurred.
 - a. The full report shall be submitted on or before the end of the month in which the SMR is submitted.
 - b. The full report shall consist of (1) the results; (2) the dates of sample collection and initiation of each toxicity test; (3) the acute toxicity and (4) printout of the ToxCalc or CETIS program results.
3. Test results for toxicity tests also shall be reported according to the appropriate manual chapter on Report Preparation and shall be attached to the SMR. Routine reporting shall include, at a minimum, as applicable, for each test:
 - c. Sample date(s);
 - d. Test initiation date;
 - e. Test species;
 - f. End point values for each dilution (e.g., number of young, growth rate, percent survival);
 - g. NOEC value(s) in percent effluent;
 - h. IC₁₅, IC₂₅, IC₄₀ and IC₅₀ values in percent effluent;
 - i. TU_c values $\left(TU_c = \frac{100}{NOEC}\right)$;
 - j. Mean percent mortality (+standard deviation) after 96 hours in 100% effluent (if applicable);
 - k. NOEC and LOEC values for reference toxicant test(s);
 - l. IC₂₅ value for reference toxicant test(s);
 - m. Any applicable charts; and
 - n. Available water quality measurements for each test (e.g., pH, D.O., temperature, conductivity, hardness, salinity, ammonia).
4. The Discharger shall provide a compliance summary, which includes a summary table of toxicity data from all samples collected during that year.

The Discharger shall notify by telephone or electronically, this Regional Water Board of any toxicity exceedance of the limit or trigger within 24 hours of receipt of the results followed by a written report within 14 calendar days of receipt of the results. The verbal or electronic notification shall include the exceedance and the plan the Discharger has taken or will take to investigate and correct the cause(s) of toxicity. It may also include a status report on any actions required by the permit, with a schedule for actions not yet completed. If no actions have been taken, the reasons shall be given.

VI. LAND DISCHARGE MONITORING REQUIREMENTS

Not applicable.

VII. RECLAMATION MONITORING REQUIREMENTS

Not applicable

VIII. RECEIVING WATER MONITORING REQUIREMENTS

A. Monitoring Location RSW-001

1. The Discharger shall monitor the Dominguez Channel estuary at RSW-001 as follows:

Table E-3. Receiving Water Monitoring Requirements for RSW-001

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method
pH	s.u.	Grab	1/Year	1,2
Temperature	°F	Grab	1/Year	1,2
Hardness (as mg/L CaCO ₃)	mg/L	Grab	1/Year	1,2
Priority Pollutants ³	µg/L	Grab	1/Year	1

- 1 Pollutants shall be analyzed using the analytical methods described in 40 CFR Part 136; for Priority Pollutants the methods must meet the lowest minimum levels (MLs) specified in Attachment 4 of the SIP, provided as Attachment H. Where no methods are specified for a given pollutant, the methods must be approved by this Regional Board or the State Board.
- 2 Receiving water pH, hardness, temperature must be analyzed at the same time the samples are collected for Priority Pollutants analysis.
- 3 Priority Pollutants as defined by the CTR defined in Finding II.I of the Limitations and Discharge Requirements of this Order, and included as Attachment I. Annual samples shall be collected during the first hour of discharge from the first storm event of the wet season (October 1 – May 30). If, for safety reasons, a sample cannot be obtained during the first hour of discharge, then a sample shall be obtained, at first safe opportunity within 12 hours of the beginning of storm water or fire protection system test water discharge.

B. Monitoring Location RSW-002

1. The Discharger shall monitor the Dominguez Channel estuary at RSW-002 as follows:

Table E-4. Receiving Water Monitoring Requirements for RSW-002

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method
pH	s.u.	Grab	1/Discharge Event ²	1
Temperature	°F	Grab	1/Discharge Event ²	1
Salinity	ppt	Grab	1/year	1
Total coliform	MPN/100 ml	Grab	1/year	1
Fecal coliform	MPN/100 ml	Grab	1/year	1
Enterococcus	MPN/100 ml	Grab	1/year	1
Hardness (as mg/L CaCO ₃)	mg/l	Grab	1/Discharge Event ²	1
Ammonia, Total (as N)	mg/l	Grab	1/Discharge Event ²	1

1. Pollutants shall be analyzed using the analytical methods described in 40 CFR Part. 136; for Priority Pollutants the methods must meet the lowest minimum levels (MLs) specified in Attachment 4 of the SIP, provided as Attachment H. Where no methods are specified for a given pollutant, the methods must be approved by this Regional Board or the State Board.
 2. During periods of extended rainfall, no more than one sample per week needs to be taken. Sampling shall be during the first hour of discharge. If, for safety reasons, a sample cannot be obtained during the first hour of discharge, then a sample shall be obtained, at first safe opportunity within 12 hours of the beginning of storm water or fire protection system test water discharge, and the reason for the delay shall be included in the report.
2. A visual observation station shall be established in the vicinity of the discharge point of the storm drain to the receiving water, the Dominguez Channel estuary. The receiving water monitoring program shall consist of periodic surveys of receiving water and shall include studies of those physical-chemical characteristics of the receiving water that may be impacted by the discharge.

IX. OTHER MONITORING REQUIREMENTS

A. Storm Water Monitoring

1. Rainfall Monitoring. The Discharger shall measure and record the rainfall on each day of the month or submit the data obtained from the nearest city/county operated rain gauge monitoring station. This information shall be included in the monitoring report for that month.
2. Visual Observation. The Discharger shall make visual observations of all storm water discharge locations on at least one storm event per month that produces a significant storm water discharge to observe the presence of floating and suspended materials, oil and grease, discoloration, turbidity, and odor. A "significant storm water discharge" is a continuous discharge of storm water for a minimum of one hour, or the intermittent discharge of storm water for a minimum of 3 hours in a 12-hour period.

B. SWPPP, BMPP, and Spill Contingency Plan Status and Effectiveness Report

1. As required under Special Provision VI.C.3 of this Order, the Discharger shall submit an updated SWPPP, BMPP, and Spill Contingency Plan to the Executive Officer of the Regional Water Board for approval within 90 days of the effective date of this permit.
2. Annually, the Discharger shall report the status of the implementation and the effectiveness of the SWPPP, BMPP, and Spill Contingency Plan required under Special Provision VI.C.3 of this Order. The SWPPP, BMPP, and Spill Contingency Plan status shall be reviewed at a minimum once per year and updated as needed to ensure all actual or potential sources of pollutants in wastewater and storm water discharged from the facility are addressed. All changes or revisions to the SWPPP, BMPP, and Spill Contingency Plan status will be summarized in the annual report required under Attachment E, Monitoring and Reporting, Section X.B.3.

X. REPORTING REQUIREMENTS

A. General Monitoring and Reporting Requirements

1. The Discharger shall comply with all Standard Provisions (Attachment D) related to monitoring, reporting, and recordkeeping.
2. If there is no discharge during any reporting period, the report shall so state.
3. Each monitoring report shall contain a separate section titled "Summary of Non-Compliance" which discusses the compliance record and corrective actions taken or planned that may be needed to bring the discharge into full compliance with waste discharge requirements. This section shall clearly list all non-compliance with waste discharge requirements, as well as all excursions of effluent limitations.
4. The Discharger shall inform the Regional Water Board well in advance of any proposed construction activity that could potentially affect compliance with applicable requirements.
5. The Discharger shall report the results of acute toxicity testing, TRE and TIE as required in the Attachment E, Monitoring and Reporting, Section V.F.

B. Self Monitoring Reports (SMRs)

1. At any time during the term of this permit, the State or Regional Water Board may notify the Discharger to electronically submit Self-Monitoring Reports (SMRs) using the State Water Board's California Integrated Water Quality System (CIWQS) Program Web site (<http://www.waterboards.ca.gov/ciwqs/index.html>). Until such notification is given, the Discharger shall submit hard copy SMRs. The CIWQS Web site will provide additional directions for SMR submittal in the event there will be service interruption for electronic submittal.
2. The Discharger shall report in the SMR the results for all monitoring specified in this MRP under sections III through IX. The Discharger shall submit quarterly SMRs including the results of all required monitoring using USEPA-approved test methods or other test methods specified in this Order. If the Discharger monitors any pollutant more frequently than required by this Order, the results of this monitoring shall be included in the calculations and reporting of the data submitted in the SMR.
3. Monitoring periods and reporting for all required monitoring shall be completed according to the following schedule:

Table E-5. Monitoring Periods and Reporting Schedule

Sampling Frequency	Monitoring Period Begins On...	Monitoring Period	SMR Due Date
1/Day	January 1, 2009	(Midnight through 11:59 PM) or any 24-hour period that reasonably represents a calendar day for purposes of sampling.	May 1 August 1 November 1 February 1
1/Discharge Event	January 1, 2009	January 1 through March 31 April 1 through June 30 July 1 through September 30 October 1 through December 31	May 1 August 1 November 1 February 1
1/Year	January 1, 2009	January 1 through December 31	February 1

4. Reporting Protocols. The Discharger shall report with each sample result the applicable reported Minimum Level (ML) and the current Method Detection Limit (MDL), as determined by the procedure in Part 136.

5. The Discharger shall report the results of analytical determinations for the presence of chemical constituents in a sample using the following reporting protocols:

a. Sample results greater than or equal to the reported ML shall be reported as measured by the laboratory (i.e., the measured chemical concentration in the sample).

b. Sample results less than the RL, but greater than or equal to the laboratory's MDL, shall be reported as "Detected, but Not Quantified," or DNQ. The estimated chemical concentration of the sample shall also be reported.

For the purposes of data collection, the laboratory shall write the estimated chemical concentration next to DNQ as well as the words "Estimated Concentration" (may be shortened to "Est. Conc."). The laboratory may, if such information is available, include numerical estimates of the data quality for the reported result. Numerical estimates of data quality may be percent accuracy (+ a percentage of the reported value), numerical ranges (low to high), or any other means considered appropriate by the laboratory.

c. Sample results less than the laboratory's MDL shall be reported as "Not Detected," or ND.

d. Dischargers are to instruct laboratories to establish calibration standards so that the ML value (or its equivalent if there is differential treatment of samples relative to calibration standards) is the lowest calibration standard. At no time is the Discharger to use analytical data derived from extrapolation beyond the lowest point of the calibration curve.

6. Compliance Determination. Compliance with effluent limitations for priority pollutants shall be determined using sample reporting protocols defined above and Attachment H of this Order. For purposes of reporting and administrative enforcement by the Regional and State Water Boards, the Discharger shall be deemed out of compliance with effluent limitations if the concentration of the priority pollutant in the monitoring sample is greater than the effluent limitation and greater than or equal to the reporting level (RL).
7. Multiple Sample Data. When determining compliance with an AMEL or MDEL for priority pollutants and more than one sample result is available, the Discharger shall compute the arithmetic mean unless the data set contains one or more reported determinations of "Detected, but Not Quantified" (DNQ) or "Not Detected" (ND). In those cases, the Discharger shall compute the median in place of the arithmetic mean in accordance with the following procedure:
 - c. The data set shall be ranked from low to high, ranking the reported ND determinations lowest, DNQ determinations next, followed by quantified values (if any). The order of the individual ND or DNQ determinations is unimportant.
 - d. The median value of the data set shall be determined. If the data set has an odd number of data points, then the median is the middle value. If the data set has an even number of data points, then the median is the average of the two values around the middle unless one or both of the points are ND or DNQ, in which case the median value shall be the lower of the two data points where DNQ is lower than a value and ND is lower than DNQ.
8. The Discharger shall submit SMRs in accordance with the following requirements:
 - a. The Discharger shall arrange all reported data in a tabular format. The data shall be summarized to clearly illustrate whether the facility is operating in compliance with interim and/or final effluent limitations. The Discharger is not required to duplicate the submittal of data that is entered in a tabular format within CIWQS. When electronic submittal of data is required and CIWQS does not provide for entry into a tabular format within the system, the Discharger shall electronically submit the data in a tabular format as an attachment.
 - b. The Discharger shall attach a cover letter to the SMR. The information contained in the cover letter shall clearly identify violations of the WDRs; discuss corrective actions taken or planned; and the proposed time schedule for corrective actions. Identified violations must include a description of the requirement that was violated and a description of the violation.
 - c. SMRs must be submitted to the Regional Water Board, signed and certified as required by the Standard Provisions (Attachment D), to the address listed below:

**California Regional Water Quality Control Board
Los Angeles Region
320 W. 4th Street, Suite 200
Los Angeles, CA 90013**

C. Discharge Monitoring Reports (DMRs)

1. As described in Section X.B.1 above, at any time during the term of this permit, the State or Regional Water Board may notify the Discharger to electronically submit SMRs that will satisfy federal requirements for submittal of Discharge Monitoring Reports (DMRs). Until such notification is given, the Discharger shall submit DMRs in accordance with the requirements described below.
2. DMRs must be signed and certified as required by the standard provisions (Attachment D). The Discharger shall submit the original DMR and one copy of the DMR to the address listed below:

STANDARD MAIL	FEDEX/UPS/ OTHER PRIVATE CARRIERS
State Water Resources Control Board Division of Water Quality c/o DMR Processing Center PO Box 100 Sacramento, CA 95812-1000	State Water Resources Control Board Division of Water Quality c/o DMR Processing Center 1001 I Street, 15 th Floor Sacramento, CA 95814

3. All discharge monitoring results must be reported on the official USEPA pre-printed DMR forms (EPA Form 3320-1). Forms that are self-generated will not be accepted unless they follow the exact same format of EPA Form 3320-1.

D. Other Reports

1. The Discharger shall report the results of any acute toxicity testing, TRE/TIE, PMP, and Pollution Prevention Plan required by Special Provisions – VI.C.2 of this Order. The Discharger shall report the progress in satisfaction of compliance schedule dates specified in Special Provisions – VI.C.6 of this Order. The Discharger shall submit reports with the first quarterly SMR scheduled to be submitted on or immediately following the report due date.
2. Within 90 days of the effective date of this permit, the Discharger is required to submit the following to the Regional Water Board:
 - a. Initial Investigation TRE workplan
 - b. Updated SWPPP
 - c. Updated BMPP
 - d. Spill Contingency Plan
3. By February 1 of each year, the Discharger shall submit an annual report to the Regional Water Board. The report shall contain the following:

- a. Both tabular and graphical summaries of the monitoring data obtained during the previous year,
 - b. A discussion on the compliance record and the corrective actions taken or planned to bring the discharge into full compliance with the waste discharge requirements,
 - c. A report discussing the following: 1) operation/maintenance problems; 2) changes to the facility operations and activities; 3) potential discharge of the pollutants associated with the changes and how these changes are addressed in the BMPP; 3) calibration of flow meters or other equipment/device used to demonstrate compliance with effluent limitations of this Order.
 - d. A report on the status of the implementation and the effectiveness of the SWPPP, BMPP, and Spill Contingency Plan.
4. This Regional Water Board requires the Discharger to file with the Regional Water Board, within 90 days after the effective date of this Order, a technical report on his preventive (failsafe) and contingency (cleanup) plans for controlling accidental discharges, and for minimizing the effect of such events. The technical report should:
- a. Identify the possible sources of accidental loss, untreated waste bypass, and contaminated drainage. Loading and storage areas, power outage, waste treatment unit outage, and failure of process equipment, tanks and pipes should be considered.
 - b. Evaluate the effectiveness of present facilities and procedures and state when they become operational.
 - c. Describe facilities and procedures needed for effective preventive and contingency plans.
 - d. Predict the effectiveness of the proposed facilities and procedures and provide an implementation schedule contingent interim and final dates when they will be constructed, implemented, or operational.

This Regional Water Board, after review of the technical report, may establish conditions which it deems necessary to control accidental discharges and to minimize the effects of such events. Such conditions may be incorporated as part of this Order, upon notice to the Discharger.

ATTACHMENT F – FACT SHEET

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ATTACHMENT F – FACT SHEET

As described in section II of this Order, this Fact Sheet includes the legal requirements and technical rationale that serve as the basis for the requirements of this Order.

This Order has been prepared under a standardized format to accommodate a broad range of discharge requirements for Dischargers in California. Only those sections or subsections of this Order that are specifically identified as “not applicable” have been determined not to apply to this Discharger. Sections or subsections of this Order not specifically identified as “not applicable” are fully applicable to this Discharger.

I. PERMIT INFORMATION

The following table summarizes administrative information related to the facility.

Table F-1. Facility Information

WDID	4B190106051
Discharger	Ultramar, Inc.
Name of Facility	Olympic Tank Farm – Skim Pond
Facility Address	1220 North Alameda Street
	Wilmington, CA 90749
	Los Angeles County
Facility Contact, Title and Phone	Wesley Waida, Environmental Manager, 562-491-6890, Wesley.Waida@valero.com
Authorized Person to Sign and Submit Reports	David Sanders, VP & General Manager
Mailing Address	Ultramar, Inc. 2402 East Anaheim Street, Wilmington, CA 90744
Billing Address	SAME
Type of Facility	Tank farm for storage of bulk petroleum products.
Major or Minor Facility	Minor
Threat to Water Quality	3
Complexity	C
Pretreatment Program	N
Reclamation Requirements	N/A
Facility Permitted Flow	0.3 million gallons per day (MGD)
Facility Design Flow	0.3 MGD
Watershed	Dominguez Channel Watershed
Receiving Water	Dominguez Channel Estuary
Receiving Water Type	Inland surface water

- A. Ultramar, Inc., a Valero Energy Corporation Company (hereinafter Discharger), is the operator of the Olympic Tank Farm (hereinafter Facility), a tank farm for storage of bulk petroleum products. The City of Los Angeles, Department of Water and Power owns the property at 1220 North Alameda Street, Wilmington, CA 90749 on which the Facility is located.

For the purposes of this Order, references to the "discharger" or "permittee" in applicable federal and state laws, regulations, plans, or policy are held to be equivalent to references to the Discharger herein.

- B. The Facility discharges wastewater to the Dominguez Channel Estuary, a water of the United States, and is currently regulated by Order R4-2003-0052 which was adopted on April 03, 2003, and expired on March 10, 2008.
- C. The Discharger submitted a report of waste discharge and submitted an application for renewal of its Waste Discharge Requirements (WDRs) and National Pollutant Discharge Elimination System (NPDES) permit on September 10, 2007.

II. FACILITY DESCRIPTION

Ultramar, Inc. operates a tank farm (known as Olympic Tank Farm) for storage of bulk petroleum products. The existing Order (No. R4-2003-0052) states the Facility is not in use and that the Facility has not conducted any receiving, transferring, or storage of oil since assuming operations at the Facility (in 2001); however, the Discharger intends to store hydrocarbon products in future.

A. Description of Wastewater Treatment or Controls

In their renewal application, the Discharger describes the treatment system as a four-stage oil skim pond. The Facility currently stores residual fuel oil in one storage tank in a tank farm area surrounded by a 15-foot earthen dike. Storm water is collected in the tank farm area and may pick up pollutants from that area. Storm water is directed by gravity to the skim pond. The storm water is then directed to a private storm drain along the Southern Pacific Railroad tracks that discharges to the Dominguez Channel estuary.

Ultramar maintains a fire prevention system for the storage tank farm area. No chemicals are added to the fire prevention system. Fire protection system test water is discharged at a maximum frequency of once every 3 months. The fire prevention system test water is also directed to the four-stage oil skim pond before discharge to the storm drain along the Southern Pacific Railroad tracks.

Stormwater (up to 0.3 MGD) and fire protection system test water (up to 0.024 MGD) is generated at the Facility, although not concurrently. The treatment system consists of a four-stage skim pond. After passing through the treatment system, wastewater is discharged from Discharge 001 (see table on cover page) to the Dominguez Channel estuary, a water of the United States, within the Dominguez Channel Watershed.

The location of Discharge Point 001 is Latitude 33° 47' 12" N and Longitude 118° 14' 16" W.